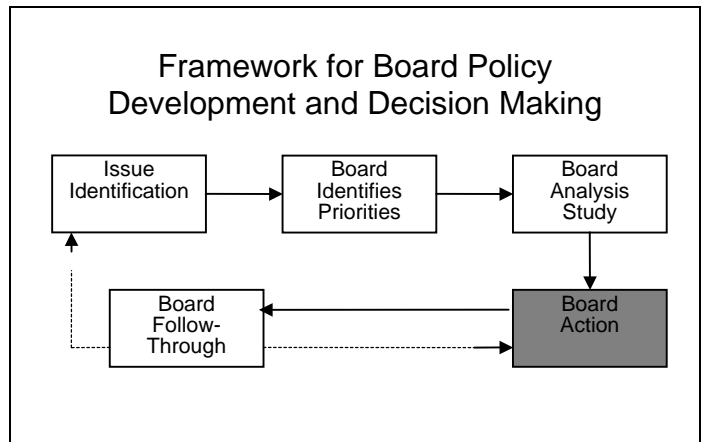


Iowa State Board of Education

Executive Summary

April 19, 2007



Agenda Item: Chapter 34, Funding for Children Residing in State Institutions or Mental Health Institutes; Adopt Amendments for Filing

Iowa Goal: 2. All K-12 students will achieve at high levels, prepared for success beyond high school.

Equity Impact Statement: These amendments provide secondary students in an MHI (Cherokee or Independence), the State Training School (Eldora), or the Iowa Juvenile Home (Toledo) the same access to Postsecondary Educational Options courses as any other secondary student in Iowa.

Presenter: Consent Agenda

Attachments: 2

Recommendation: It is recommended that the State Board adopt the amendments to Chapter 34, Funding for Children Residing in State Institutions or Mental Health Institutes as proposed.

Background: The primary purpose of the changes proposed is to give secondary students in an MHI or at the Eldora Training School or the Toledo Juvenile Home the ability to take postsecondary courses at the State's expense. It is estimated that the equivalent of ten (10) students will take full advantage of the rule change, at a cost of approximately \$30,000 annually. Minor changes include amending dates and deadlines to conform to recent legislation.

EDUCATION DEPARTMENT [281]

Adopted and Filed

Pursuant to the authority of Iowa Code section 256.7(5), the State Board of Education amends Chapter 34, "Funding for Children Residing in State Institutions or Mental Health Institutes," Iowa Administrative Code.

These amendments primarily provide secondary students in a Mental Health Institute (Cherokee or Independence), the State Training School (Eldora), or the Iowa Juvenile Home (Toledo) the same access to Postsecondary Educational Options (dual credit courses) as any other secondary student in Iowa, and to provide the funding therefore. Secondly, the amendments change certain deadlines to conform to legislative changes to Iowa Code section 257.6(1) by 2006 Iowa Acts, Chapter 1152, Section 22.

An agency wide waiver provision is provided in 281—Chapter 4.

Notice of Intended Action was published in the March 14, 2007, Iowa Administrative Bulletin as ARC 5767B. A public hearing was held on April 4, 2007, and public comments were allowed until 4:30 p.m. on April 4, 2007. One written comment was received. Educators at community colleges had a concern with the use of the term "dual credit" in the rules, as that term does not appear in statute or elsewhere in any administrative rule. Therefore, since the Notice of Intended action was published, the amendments have been changed to purge use of that term. The substance of the amendments otherwise is identical to those published under Notice.

These amendments are intended to implement Iowa Code section 257.6(1) and chapters 218 and 261C.

These amendments shall become effective June 27, 2007.

The following amendments are adopted.

ITEM 1. Amend rule 281—34.4(218) as follows:

281—34.4(218) Notification.

34.4(1) Students served at mental health institutes. The Mental Health Institute, Cherokee, Iowa, and the Mental Health Institute, Independence, Iowa, shall notify the district of residence of

each child who on ~~the third Friday in September~~ *the date specified in Iowa Code section 257.6, subsection 1*, is residing in these institutions. The notification shall occur on or ~~after the third Friday in September and on or before the fourth Friday in September~~ *before October 10* and shall be in writing or in a printable electronic medium. The notification shall include the child's name, birth date, and grade level and the names and addresses of the child's parents or guardians.

34.4(2) Students served at the State Training School at Eldora and the Iowa Juvenile Home at Toledo. The State Training School at Eldora and the Iowa Juvenile Home at Toledo shall notify the AEA in which the institution is located and the district of residence of each child who on ~~the third Friday in September~~ *the date specified in Iowa Code section 257.6, subsection 1*, is residing in these institutions if the child's release date is known and the release date is within the current school year. The notification shall occur on or ~~after the third Friday in September and on or before the fourth Friday in September~~ *before October 10*. For students served pursuant to an IEP, the State Training School at Eldora and the Iowa Juvenile Home at Toledo shall by the last Friday in October also notify the AEA in which the institution is located and the district of residence of each child residing in these institutions if the child's release date is known and the release date is within the current school year. Notifications shall be in writing or in a printable electronic medium and shall include the child's name, birth date and grade level and the names and addresses of the child's parents or guardians.

ITEM 2. Amend rule 281—34.11(218) by adding the following **new** subrule:

34.11(9) Costs of courses. Costs include the actual expenses, if reasonable and customary, for tuition, textbooks, course materials, and fees directly related to courses taken pursuant to rule 281—34.15(218,233A, 261C) by students who are residents of the state of Iowa.

ITEM 3. Adopt the following **new** rule:

281—34.15(218,233A,261C) Postsecondary credit courses. Eleventh and twelfth grade students who attend an institution and are residents of the state of Iowa are eligible to be enrolled in college courses offered by an eligible postsecondary institution as defined in Iowa Code section 261C.3(1) and to receive both secondary and postsecondary credit therefore.

34.15(1) Non-eligible courses. Postsecondary courses utilized in the attainment of an adult diploma or general equivalency diploma are not eligible for funding hereunder.

34.15(2) Eligible courses. Postsecondary courses eligible for funding hereunder must meet all of the following requirements. The course must be:

- a. Supplementing, not supplanting, courses offered at the institution.

- b. Included in the college catalog or an amendment or addendum to the catalog.
- c. Open to all registered college students, not just secondary students.
- d. Taught by a college–employed instructor.
- e. Taught utilizing the college course syllabus.
- f. Of the same quality as a course offered on a college campus.
- g. Nonsectarian.

34.15(3) Maximum number of college courses allowed. A student is allowed to take a maximum of three college courses during a semester, for a maximum of six college courses per regular school year, while the student is in attendance at the institution. College courses taken outside the regular school year shall not be funded under this chapter. If the student exceeds the course limit, the costs of the additional courses shall not be funded hereunder.